

**STATE WATER RESOURCES CONTROL BOARD  
BOARD MEETING SESSION – OFFICE OF THE DELTA WATERMASTER &  
DIVISION OF WATER RIGHTS  
JANUARY 4, 2023**

**ITEM 3**

**SUBJECT**

CONSIDERATION OF PROPOSED REGULATION MODIFYING WATER RIGHT OWNERSHIP NOTICE REQUIREMENTS AND REPORTING DATES.

**DISCUSSION**

At the direction of and as a result of review by the Office of Administrative Law, this item is to consider proposed changes to regulations to modify (1) the existing requirement that water right holders and claimants notify the Water Board of changes of ownership, changes of contact information, and (2) the water use reporting periods and report due dates. The affected regulations are California Code of Regulations, title 23, sections 831, 907, 915, 924, 925, and 929 that were previously adopted by the State Water Resources Control Board on September 20, 2022.

Proposed changes to these regulations since adoption by the State Water Board required a 15-day public comment period that commenced on December 6th and closed on December 21st. Proposed changes after review by the Office of Administrative Law are noted in double underline and double strikethrough to distinguish the portions of the regulations in single underline and single strikethrough that were previously adopted by the State Water Board at the September 20, 2022 meeting. Changes to the following forms are being made to conform to the proposed changes to the regulations: Change of Ownership Form, Contact Information Update Form, and Supplemental Statement for Change Form. Through this process, as reflected in the proposed changes to the regulations, the forms have been updated accordingly. The Office of the Delta Watermaster and Division of Water Rights believe that these changes will help to further improve administration of the water rights system.

During the process of making changes to the proposed regulations, the Office of the Delta Watermaster conducted additional outreach with the water user community in the Delta to identify areas of confusion and inconsistency that hamper diverters in meeting their reporting responsibilities and getting timely communications from the State Water Board.

If the proposed regulations are adopted by the State Water Board, the complete rulemaking file will be submitted to the Office of Administrative Law for its review. Assuming approval by the Office of Administrative Law, the regulations will be submitted to the Secretary of State and published in the California Code of Regulations in an effort to become effective before February 1, 2023.

**POLICY ISSUE**

Should the State Water Board adopt the proposed resolution and accompanying changes to the regulation?

**FISCAL IMPACT**

There will be no fiscal impact to a person or entity subject to the proposed regulation. For the State Water Board, there will be a cost savings in providing for the more efficient administration of water rights.

**REGIONAL BOARD IMPACT**

None.

**STAFF RECOMMENDATION**

Staff recommends adoption of the resolution and proposed changes to the regulations.